

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
NORTHERN DIVISION**

POINT BLANK BODY ARMOR, INC. *

*

Plaintiff, *

*

v. *

*

ALLEN PRICE, *

JOSEPH KRUMMEL, and *

JAMES MURRAY *

*

Defendants. *

*

Civil Action No. MJG 01 CV 3256

ALLEN PRICE, *

JOSEPH KRUMMEL, and *

JAMES MURRAY *

*

Counter-plaintiffs, *

*

v. *

*

POINT BLANK BODY ARMOR, INC. *

*

Counter-defendant. *

*

**DEFENDANTS' AND COUNTER-PLAINTIFFS' PROPOSED VOIR DIRE AND
REQUEST FOR ROLL CALL**

COME NOW, Defendants and Counter-plaintiffs Allen Price, Joseph Krummel, and James Murray, by their undersigned attorneys, pursuant to Federal Rule 47, respectfully request permission of the Court to conduct an examination and roll call of prospective jurors, or, in the alternative, that the Court interrogate the prospective jurors as follows:

1. The Plaintiff and Counter-defendant in this action is Point Blank Body Armor, Inc. ("Point Blank"), a Delaware corporation with its principal place of business and headquarters

located in Oakland Park, Florida. Point Blank is engaged in the design, manufacture, marketing and sale of protective body armor. Point Blank is a wholly-owned subsidiary of DHB Industries, Inc., a Delaware corporation with its principal place of business located in Carle Place, New York whose shares are publicly-traded on the American Stock Exchange. Do you, or does any member of your immediate family or any close friend, know of Point Blank or its parent company, DHB Industries?

2. One of the Defendants and Counter-plaintiffs in this action is Mr. Allen Price (“Price”), an individual who resides in Rising Sun, Maryland. Mr. Price is President of United States Ballistic Engineering, Inc. (“USBE”), a Maryland Corporation with its principal place of business located in Rising Sun, Maryland. Do you, or does any member of your immediate family or any close friend, know of Mr. Price or USBE?

3. Another Defendant and Counter-plaintiff in this action is Mr. Joseph Krummel (“Krummel”), an individual who resides in Rising Sun, Maryland. Do you, or does any member of your immediate family or any close friend, know of Krummel?

4. Another Defendant and Counter-plaintiff in this action is Mr. James Murray (“Murray”), an individual who resides in Rising Sun, Maryland. Do you, or does any member of your immediate family or any close friend, know of Mr. Murray?

5. Price, Krummel, and Murray are represented by Robert S. Brennen and William M. Krulak of the law firm of Baltimore law firm of Miles & Stockbridge, P.C. For much of this case, Price, Krummel and Murray were also represented by Richard Bennett, also of Miles & Stockbridge, until he was recently appointed as a federal judge by President Bush, and Richard E. Jackson of Elkton, Maryland, until he was recently appointed as a state court judge by Governor Ehrlich. Point Blank is represented by Paula M. Junghans of the Washington, D.C. office of the law firm of Piper Rudnick, LLP and Melissa Lea Mackiewicz of that firm’s Baltimore office.

For much of this case, Point Blank had been represented by Angelo Filippi of the Ft. Lauderdale firm of Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson, PA and Harry Rifkind of the Towson, Maryland firm of Hodes, Ulman, Pressin & Katz, P.A . Do you, or does any member of your immediate family or any close friend, know of these attorneys or their respective law firms?

6. This lawsuit was initiated by Point Blank alleging breach of confidentiality by Price and Murray, and misappropriation of trade secrets by Price, Krummel, and Murray. Point Blank's claims have been dismissed. Price, Krummel, and Murray have filed a counterclaim against Point Blank alleging breach of their employment contracts by Point Blank. Price, Krummel, and Murray assert that Point Blank failed to provide DHB Industries stock and options to purchase DHB Industries stock earned by the Price, Krummel, and Murray during their employment, and failed to pay them for their final pay period. The counterclaim also alleges unjust enrichment, claiming that Point Blank retained the benefit of the work performed by Price, Krummel, and Murray without compensating them for such work. The counterclaim further alleges Point Blank violated the Maryland Wage Payment and Collection Act by failing to pay Price, Krummel, and Murray their salaries for their final pay periods and by failing to provide them with the stock and options as agreed. Price, Krummel, and Murray also seek reimbursement for the attorneys' fees they incurred in defending Point Blank's claim, which the Court dismissed, that they misappropriated trade secrets because Price, Krummel, and Murray contend that the cause of action was brought in bad faith by Point Blank. Point Blank denies these allegations. Have you, or any members of your immediate family or any close friend, heard anything about this case?

7. Do you, or any member of your immediate family or any close friend, have knowledge of this case from any source?

8. In addition to Price, Krummel, and Murray, the following individuals may be called to testify at the trial of this matter. Are you, or is any member of your immediate family or any close friend, acquainted with any of the following witnesses who may testify in this case:

1. Mr. Scott Bauernmaster of Raymond James in Lancaster, Pennsylvania
2. Mr. Terrence Butryn of Barrday, Inc. in Cambridge, Ontario, Canada
3. Ms. Sandra Hatfield of Point Blank in Oakland Park, Florida
4. Mr. David H. Brooks of DHB Industries, Inc. of Carle Place, New York.
5. Ms. Dawn Schlegel of DHB Industries, Inc. of Carle Place, New York.
6. Mr. _____ of Morgan Stanley Dean Witter in New York, New York.

The trial is expected to last approximately (3) days. Does the nature of this case, or the length of this trial, prevent any of you from rendering a fair and impartial verdict based solely on the evidence and instructions of this Court?

9. Have you, or has any member of your immediate family or any close friend, ever been a plaintiff, defendant, or witness in a civil action involving claims of trade secret misappropriation or misuse of confidential information.

10. Have you, or has any member of your immediate family or any close friend, ever been sued or brought a lawsuit for breach of an employment contract, for unjust enrichment, for violating the Maryland Wage Payment and Collection Act, for bringing a claim in bad faith, or for misappropriation of trade secrets?

11. Are you, or is any member of your immediate family or any close friend, involved in the design, manufacture, marketing, or sale of protective body armor?

12. Do you have any personal knowledge of this case, or any of the facts or occurrences that may have bearing in this case, or have you developed any preconceived opinions or ideas with respect to the issues in this case?

13. Have you ever served on a jury in the past? If so, when was your service, what type of case was it, and did the jury reach a verdict.

14. Have you, or has any member of your immediate family or any close friend, ever been employed in the legal profession - as a lawyer, judge, legal secretary, paralegal, etc.? If so, please indicate the relationship and the nature of the employment.

15. Although not in the legal profession, some of you may have had any training in law. The law as it applies to this case will be given to you by the Court at the end of this case. If there are any conflicts between what I tell you and what you think the law may be, will you listen only to my instructions and follow them? Can you disregard what you believe the law is?

16. Do you know anyone else on the jury panel? Do you have any contact at all with any person here in this room?

17. Do you know of any reason not previously mentioned that would prevent you from deciding this case impartially and fairly, and based solely on the evidence presented?

If your answer to any of the foregoing questions is in the affirmative, do the circumstances requiring the affirmative answer prejudice you in any way, or prevent you from limiting your decision in this case to the evidence presented in this courtroom?

WHEREFORE, Defendants and Counter-plaintiffs respectfully request a roll call of the prospective jurors.

Dated: June 23, 2003

/s/
Robert S. Brennen (04499)
William M. Krulak (26452)
MILES & STOCKBRIDGE P.C.
10 Light Street, Suite 1200
Baltimore, Maryland 21202
(410) 727-6464

Attorneys for Defendants and Counter-plaintiffs
Allen Price, Joseph Krummel and James Murray